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IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

| International Application No. | | : | PCT/EP05/00370 | |
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| Intern | ational l | Filing Date | : | January 15, 2005 |
| Priori | ty Date(| s) Claimed | : | February 7, 2004 |
| Appli | cant(s) (| DO/EO/US) | : | Alfred HENNEMANN et al |
| Title: | PART | ICLES HAVING A FU | JNCTIONAL N | MULTILAYERED STRUCTURE |
| INFO | RMAT | ION DISCLOSURE | STATEMENT | UNDER 37 CFR §§ 1.56, 1.97 and 1.98 |
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| Sir: | | | | |
| and 1. | This in 98 as fo | | atement is mad | e in accordance with 37 C.F.R. §§ 1.56, 1.97 |
| <u>Timin</u> | g and F | ees | | |
| Under 37 C.F.R. § 1.97(b), no fee or statement is required for disclosure statement is filed: | | | | nent is required for filing this information |
| | | within three months o under § 1.53(d); | f the filing date | of a national application other than a CPA |
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Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:

application; OR

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a final rejection under 37 C.F.R. 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; and

before the mailing of a first substantive office action (including after filing of an

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is accompanied by: the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p). Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn: a final action under 37 C.F.R. § 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; AND is filed on or before payment of the issue fee; AND is accompanied by: the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p). Statements Under 37 C.F.R. 1.97(e) Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement. Cited Materials Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d). \boxtimes Copies of materials listed but not attached were cited in an international search report dated August 10, 2005. Not required by 37 CFR § 1.98. Copies of the materials listed are attached (except for the foregoing).

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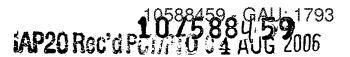
Receipt date: 08/04/2006 10588459 - GAU: 1793 Non-English Language References An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s). \boxtimes A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below: $\mathbf{X} =$ document of particular relevance when it is taken alone Y =document of particular relevance when it is combined with another such document document defining the general state of the art A =non-written disclosure O =P =intercalated document T =document cited to understand the theory or principle underlying the invention E =patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date D =cited in the application cited for another reason L =publication of member of same patent family & = \boxtimes Translation of other relevant information on foreign search report In the search report, "Seite" means page, "Seiten" means pages, "Verbindungen der Formel" means Figure of formula, "Beispele" means examples, and "das ganze Dokument" means the entire document, "Spalte" means column, "Zeile" means line, "Abbildungen" means claims, "Anspruch" means example, "Zusammenfassung" means summary, and "Tabelle" means table, and "Tabellen" means tables "in der Anmeldung erwaehnt" means cited in the application, "Schema" means scheme, "und" means and, "Absatz" means break, "Abildung" means figure. Other Information Payment of Fees Due (If Any): A check for \$ covering the fee identified above is attached.

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Respectfully submitted,

Anthony J. Zelano, Reg. No. 27,969

Attorney/Agent for Applicants

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Attorney Docket No.: MERCK-3198

Date: August 4, 2006

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| STAT | rement b | Y AI | PPLICANT | First Named Inventor | Alfred HENNEMANN et al | |
| | | | | Group Art Unit | unknown - | |
| | (use as many she | ets as | necessary) | Examiner Name | unknown | |
| Sheet | 1 | of | 2 | Attorney Docket Number | MERCK-3198 | |

| | U.S. PATENT DOCUMENTS | | | | | | | |
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| Examiner | | U.S. Patent Docum | nent Kind Code ² (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | | | |
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|-----------------------|-----------|-------------------------|----------|---|--|---------------------------|--|----|
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| Examiner Initials* | Cite No.1 | Office ³ | Number⁴ | Kind Code ⁵ (<i>if known</i>) | Name of Patentee or Applicant of Cited Document | Cited Document MM-DD-YYYY | Passages or Relevant Figures Appear | T⁵ |
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| | | | | | | | - | |

| Examiner Signature | /Pegah Parvini/ | Date Considered | 05/14/2009 | |
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| INCORMATION | DISCLOSURE | Application Number | 40 /500 //50 | | |
| INFORMATION | | Filing Date | 10/588 459 | | |
| STATEMENT B | Y APPLICANT | First Named Inventor | | | |
| | | Group Art Unit | | | |
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